

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

QUEEN ESTHER JACKSON,

No. C 03-2908 MMC

Plaintiff,

**ORDER RE: PLAINTIFF'S OBJECTION;  
SETTING BRIEFING SCHEDULE;  
DIRECTIONS TO CLERK**

v.

JOHN E. POTTER, Postmaster General,,

Defendant.

Before the Court is plaintiff's "Stipulation to Agreed Facts; Declaration of Objection to Defendant's Stipulation" (hereafter "Objection"), received March 23, 2005 by the Clerk and filed April 22, 2005, by which plaintiff appears to be seeking reinstatement of the above-titled action pursuant to the Court's orders of October 14, 2004 and January 21, 2005, providing for restoration to the trial calendar upon certification that the agreed consideration was not delivered. It is not clear from plaintiff's Objection, however, that the consideration agreed upon in the parties' settlement has not been tendered.

Accordingly, to facilitate the Court's resolution of the matter, defendant is hereby ordered to submit, no later than May 13, 2005, a response to plaintiff's Objection, setting forth the terms of the settlement, any support therefor, and what steps defendant has undertaken to comply therewith.

No later than May 27, 2005, plaintiff may file a reply to defendant's response, after

1 which the matter will stand submitted.

2 The Clerk shall mail to defendant's counsel a copy of plaintiff's Objection together with  
3 the copy of this order.<sup>1</sup>

4 **IT IS SO ORDERED.**

5 Dated: April 25, 2005

6 /s/ Maxine M. Chesney  
7 MAXINE M. CHESNEY  
8 United States District Judge  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

---

25 <sup>1</sup> Plaintiff's Objection does not contain a proof of service. Pursuant to Civil Local Rule 5-5,  
26 all such filings must be served by plaintiff on counsel for defendant. See Civ. L.R. 5-5(a). Such  
27 service may be by mail. See id. Additionally, proof of such service must accompany any filing  
28 with the Court. See Civ. L.R. 5-6. Plaintiff is hereby instructed to serve all future filings on  
defendant's counsel and to file proof of service along with any such filing. Plaintiff is hereby  
advised that in the future, her failure to comply with either Rule 5-5 or 5-6 may result in her filing  
being stricken.